IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

Bail Appl..No. 1772 of 2007()

CRIME NO.196/07 OF KASARAGOD POLICE STATION

: PETITIONERS

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1. MOHAMMED MUBEEN, S/O.B.M.MOIDEEN,
   M.M.S.VILLA, PATEL ROAD, THALANGARA,
   KASARAGOD.

2. MALIK, S/O.MAHMOOD, S.B.T. HOUSE,
   THALANGARA, K.K.PURAM, KASARAGOD.

3. MOHAMMED RAFEEK K.M., S/O.MOIDU,
   R.M.MANZIL, PALLAM ROAD, KASARAGOD.

4. PAHAD B.H., S/O.BANGOD HASSAN,
   FAHIMUDDIN MANZIL, NEW GARDEN NAGAR,
   KASARAGOD.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED BY
STATION HOUSE OFFICER, KASARGOD POLICE STATION,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA
AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1772 OF 2007 B

Dated this the 23rd day of March, 2007

O R D E R

Petitioners, who are accused Nos.1 to 4 in Crime No.196/07 of Kasaragod Police Station for offences punishable under sections 143, 147, 148, 341, 447, 326 and 308 read with section 149 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that consequent on the protest raised by the defacto complainant in the five persons including the petitioners drinking liquor from a car in front of his house, he was assaulted with beer bottle resulting in his sustaining injuries including a fracture.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 28.3.2007 and 30.3.2007 for the purpose of interrogation. The petitioners shall, thereafter, be produced on the same day before the concerned Magistrate, who shall release them on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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